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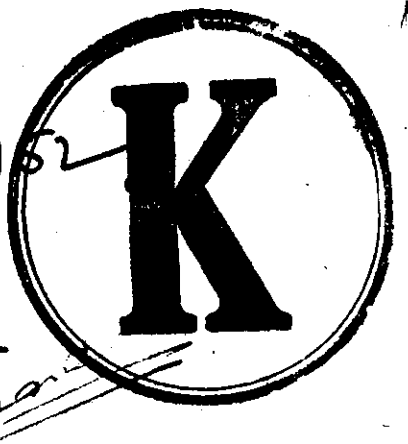
p.2 F



19 52 **File No.** Cr. A. Kan 52

Examiner

Legal **DEPARTMENT**
A **BRANCH**

Subject:— Criminal Appeals in the High Court of Bombay against the order of acquittal from Kanara District.

Cr. A. Kanara/52

File No.

Std. Stock Slip 24-1

3 of 8 A

K. 416. Rs.as.ps.

Copying and comparing charges. 1--8-0(Rs.4). Typed by Mr.D.T.Patwardhan.
Paper charges. 0--0-3 Examined by Mr: P.G.Vyas
Ready by Mr. D.R.Solkam
Total Rs.....1--8-3.

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Superintendent, Decree Department.
24-10-1952.

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Civil Reference No.8 of 1952.

Venkatrao Dattatraya Yennemadi,Pleader
at Karwar. .. .. Original Accused.

Versus

The State.

Reference made by R.H.Mirajkar,Esquire,Sessions Judge,at Karwar,under Para 3(b) of Circular No.103 of the High Court Criminal Manual,referring his own judgment in Criminal Appeal No.77 of 1951; filed by the accused-pleader,for orders.

Mr.V.S.Desai,Advocate for the Pleader.

The Government Pleader for the State.

Coram:- Chagla C.J.and Bhagwati J.

4th August 1952.

HIGH COURT APPELLATE SIDE CERTIFIED COPY BOMBAY

Oral Judgment (Per Chagla C.J):--

The accused is a pleader and the son of an ex District Judge,and it appears that on a certain day he drank more than was good for him and made a scene outside the chamber of the District Judge.He was convicted by the Sub-Divisional Magistrate under section 85(1) of the Bombay Prohibition Act,in that he was drunk and incapable of taking care of himself and he was sentenced to one month's simple imprisonment and to pay a fine of Rs.100/-. In appeal the sentence was reduced to a fine of Rs.100/- and the Sessions Judge haw now reported the matter to us under para 3(b) of Circular No.103 of the High Court Criminal Manual. A notice has been issued upon the

pleader under section 24, and the question whether his con-duct implies a defect in his character, which would render him unfit to continue as a pleader.

Now,we realise that the conduct of the pleader was inexcusable. He ought to have realised his responsibility and his behaviour certainly requires condemnation. But inasmuch as he has been convicted and sentenced, we do not think any further action is called for at our hands,the more so as Mr.Desai on behalf of his client expresses unqualified regret for his action and undertakes also on behalf of his client that in future he will not behave in a similar manner.

No order on the reference.

By order of the Court,

Sd/- S.H.Belavadi

Deputy Registrar.

True Copy

For Deputy Registrar,

The 24th day of October 1952.